

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JOHN R. MORRIS,

Plaintiff,

v.

FRU-CON CONSTRUCTION CORPORATION,

Defendant.

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Civil Action No. C-05-565

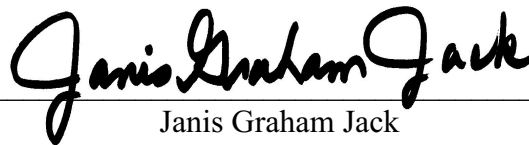
ORDER

On June 28, 2006, the Court held a telephone conference in the above-styled action. At this conference the Court made the following orders:

- (1) Plaintiff will be available for deposition on Monday, July 3, 2006, at 9:00 AM, in Plaintiff's Counsel's office. The deposition will continue to its conclusion.
- (2) Prior to Plaintiff's deposition, Plaintiff is to provide Defendant the following:
 - (a) the name of any person Plaintiff alleges is similarly situated to him who has been subjected to age discrimination by Defendant;
 - (b) the name of any person Plaintiff believes Defendant has hired instead of Plaintiff who is younger than Plaintiff;
 - (c) all earnings information of Plaintiff from 2005 forward, including tax returns, 1099 Forms and W2 Forms. Plaintiff is also to provide Defendant with all his job applications, including the names and addresses of the prospective employers from 2005 forward; and
 - (d) all damages claims, including lost wages, pursuant to Fed. R. Civ. P. 26(a).

- (3) Prior to Wednesday, July 12, 2006, Defendant is to provide Plaintiff the following:
- (a) subject to an agreed protective order, all meeting minutes and agendas from Defendant's Executive Review Committee that make any mention of reduction of workforce or discussion on age of employees from November 2000 forward; and
 - (b) names of all employees Defendant hired in the Roanoke, Virginia, Austin, Texas, Sacramento, California work sites in 2005 to fill positions for which Plaintiff had applied. Defendant is also to provide these employees' applications and any other documents relied upon for hiring.

SIGNED and ENTERED on the 28th day of June, 2006.

A handwritten signature in black ink that reads "Janis Graham Jack". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Janis Graham Jack
United States District Judge